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## *Attorneys for Sunrise Bay Owners' Association*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON FKA THE )  
BANK OF NEW YORK, AS TRUSTEE FOR THE )  
CERTIFICATE HOLDERS OF CWALT, INC., )  
ALTERNATIVE LOAN TRUST, 2006-0C8, )  
MORTGAGE PASS-THROUGH CERTIFICATES, )  
SERIES 2006-0C8, a national bank, )  
Plaintiff, )  
vs. )  
SUNRISE BAY OWNERS' ASSOCIATION, A )  
Nevada corporation; LV REAL ESTATE )  
STRATEGIC INVESTMENT GROUP, LLC, a )  
Nevada limited liability company, MICHAEL )  
CLAUSELL, JR., an individual, KEREKIA )  
CLAUSELL, an individual, )  
Defendants. )  
Case No.: 2:17-cv-02352-JAD-CWH  
**Order Granting Joint Motion to**  
**Dismiss Claims against Sunrise**  
**Bay Owners' Association**  
ECF No. 28

Pursuant to Nevada Rule of Civil Procedure 41(a), Plaintiff, The Bank Of New York Mellon FKA The Bank Of New York, As Trustee For The Certificate Holders Of Cwalt, Inc., Alternative Loan Trust, 2006-0C8, Mortgage Pass-Through Certificates, Series 2006-0C8 (“BNYM”) and Defendant Sunrise Bay Owners’ Association (“Sunrise Bay”) (collectively, the “Parties”) stipulate as follows:

1. On September 8, 2017, Plaintiff BNYM filed its Complaint in this action naming Sunrise Bay and other parties as defendant related to a homeowners association foreclosure sale

1 of property located at 2110 North Los Feliz Street, Unit 1047, Las Vegas, Nevada, 89156; APN  
2 140-23-612-041 (the “Property”).

3       2. The Parties hereby agree that BNYM’s claims against Sunrise Bay shall be  
4 dismissed with prejudice, and BNYM and Sunrise Bay shall each bear its own costs and fees  
5 related to this litigation.

6       3. The Parties further agree that Sunrise Bay does not take a position regarding  
7 whether the May 30, 2014, lien foreclosure sale extinguished BNYM’s interest in the deed of  
8 trust.

9       4. Sunrise Bay asserts that it does not have a current interest in the Property.

10      5. As between Sunrise Bay and BNYM, title is quieted in favor of BNYM.

11      6. This dismissal does not affect any rights, claims or defenses of BNYM or Sunrise  
12 Bay with respect to any other party related to the foreclosure sale of the Property.

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2 Dated this 11<sup>th</sup> day of January 2018.

3 GORDON REES SCULLY  
4 MANSUKHANI, LLP

5 /s/ Rachel L. Wise  
6 ROBERT S. LARSEN, ESQ.  
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12 *Attorneys for Defendant Sunrise Bay Owners' Association*

Dated this 11<sup>th</sup> day of January 2018.

ZIEVE, BRODNAX & STEELE, LLP

5 /s/ Shadd A. Wade  
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11 *Attorneys for Defendant The Bank Of New York Mellon FKA The Bank Of New York, As Trustee For The Certificate Holders Of Cwalt, Inc., Alternative Loan Trust, 2006-0C8, Mortgage Pass-Through Certificates, Series 2006-0C8*

12 **ORDER**

13 Based on this stipulation, which I treat as a joint motion under LR 7-1(c), and good cause appearing,

14 **IT IS ORDERED** that Defendant Sunrise Bay Owners' Association ("Sunrise Bay") is  
15 dismissed from the case with prejudice.

16 **IT IS FURTHER ORDERED** that as between Sunrise Bay and BNYM, title to the  
17 Property is quieted in favor of BNYM.

18 **IT IS FURTHER ORDERED** that each party shall bear its own attorneys' fees and  
19 costs.

20 **IT IS FURTHER ORDERED** that this dismissal does not affect any rights, claims or  
21 defenses of BNYM or Sunrise Bay with respect to any other party related to the foreclosure sale  
22 of the Property.

23 **IT IS SO ORDERED.**

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25  
26 District Court Judge

27 DATED 1/12/18  
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